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TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) POLICY MANUAL

Chapter 800 - Diversionary Assistance Program

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801.1 PURPOSE

The diversionary assistance program was established by HB 2001, passed by the 1995 General Assembly. Authorized by Section **63.2-617** of the Code of Virginia, this program is intended to prevent potential TANF recipients from becoming ongoing TANF recipients. If immediate intervention with short-term aid will resolve a crisis situation and prevent the need for ongoing TANF, the assistance unit may be granted diversionary assistance.

801.2 SCREENING

The worker must explain the diversionary assistance program to all TANF applicants. The worker must screen all TANF applicants for eligibility for diversionary assistance at the time of application to determine if the applicant has an emergency, and whether diversionary assistance can resolve it. If so, the eligibility worker should determine if the client will volunteer for such a payment if otherwise eligible.

801.3 VOLUNTARY

The eligibility worker and the applicant must discuss the appropriateness of diversionary assistance to the applicant's situation. If the applicant meets the eligibility factors for diversionary assistance, he may decide whether or not to receive diversionary assistance rather than TANF. Receipt of diversionary assistance is voluntary and in every case requires the written consent of the applicant. All applicants for diversionary assistance must first sign the Acceptance of Terms of Issuance for Diversionary Assistance to be approved.

801.4 ELIGIBILITY FACTORS

Only applicants may be approved for diversionary assistance. Current recipients of TANF are not eligible. The applicant must verify all of the following factors and the worker must document the case record accordingly before an assistance unit can receive diversionary assistance:

- A. The applicant is eligible to receive TANF. A child is eligible for TANF by meeting the TANF requirements in Section [201.1 A](#). (categorical requirements). The conditions of eligibility in [201.1 B](#) do not have to be met to be eligible for diversionary assistance. The parent or caretaker/relative shall be eligible for TANF unless one of the exceptions specified in [302.6 D or E](#) is applicable. The caretaker/relative does not have to meet the conditions of eligibility (provision of a social security number, VIEW participation, compliance with the school attendance requirement, and cooperation with DCSE). However, if the caretaker/relative is under a VIEW sanction, the assistance unit is ineligible for diversionary assistance. Note: Case closure due to failure to sign the Agreement of Personal Responsibility is not a VIEW sanction. Therefore, a diversionary assistance case may be approved after a case was closed for failure to sign the Agreement of Personal Responsibility.
- B. The assistance unit meets TANF income limits;
- C. The assistance unit has a temporary loss of income or delay in starting to receive income; (such a loss of income cannot be a loss of TANF benefits) and
- D. The worker determines that diversionary assistance will resolve the emergency.

801.5 DETERMINING THE AMOUNT OF THE PAYMENT

The amount of the payment is based on the immediate needs of the applicant. However, the payment cannot exceed the total TANF payments that the recipient would otherwise be eligible to receive in four months. The amount of assistance is the maximum TANF amount for four months or the amount of the needs of the applicant, whichever is less. Local agencies shall strive to provide the most cost-effective appropriate solution to the one-time emergency. To determine the amount of the diversionary assistance payment, follow these steps:

- A. Calculate a maximum diversionary assistance amount - Compute the monthly grant amount counting any ongoing income, such as social security income. Income from a terminated source, or that has not started, is not considered ongoing for diversionary assistance purposes. Multiply the grant amount by four.
- B. Determine the needs of the assistance unit - Document the case record as to the needs covered and the verified cost of providing for each need. The amount can cover several different needs and can include items such as, but not limited to, shelter payments, utility payments, and transportation assistance.

Choose the most cost-effective appropriate solution to the applicant's needs. For example, if the emergency has created a need for transportation, the agency may calculate the cost of bus tickets versus the price of repairing a car.

- C. Compare the amounts in A and B - The lesser amount of A and B is the amount of the diversionary assistance payment.

Example: Ms. Z applies for diversionary assistance for herself and two children. Her car broke down, and she is unable to get to work. As there is no countable income, the maximum she can receive is \$1,280 ($\$320 \times 4 = \$1,280$). There is no other transportation available, and Ms. Z needs her car to get to work. Ms. Z provides verification the repairs to her car will cost \$900. Since \$900 is lower, the worker should approve diversionary assistance of \$900.

801.6 PERIOD OF INELIGIBILITY

- A. If an assistance unit receives a diversionary assistance payment, it shall be ineligible for TANF for up to 160 calendar days beginning with the date that the diversionary assistance is issued. (For payments by FMF, the beginning date is the date the worker completes the FMF.) To determine the period of ineligibility follow these steps:
 1. Determine the monthly amount of TANF for which the applicant is eligible. **If an IPV has been committed, exclude the disqualified individual's needs. Follow IPV procedures in Section 102.3.A.**
 2. Divide the amount determined in Step 1 by 30. This is the daily amount of assistance.
 3. Divide the diversionary payment amount by the daily amount determined in Step 2 to determine how many days are covered in the payment amount. Round up to the next whole number.

4. Determine the number of days of ineligibility by multiplying the number of days determined in Step 3 by 1.33. Round up to the next whole number. This number cannot exceed 160 days.
 5. Using the number of days determined in Step 4, determine the date that the period of ineligibility ends.
- B. If the applicant receives diversionary assistance, he cannot receive TANF until the period of ineligibility expires.
- C. An assistance unit can receive diversionary assistance only once in a sixty-month period.
- D. An assistance unit that is in a period of ineligibility for TANF due to the time limit on assistance is also ineligible for diversionary assistance.
- E. A child(ren) born to a client who is in a period of ineligibility for TANF due to receipt of a diversionary assistance payment is not eligible for TANF until the period of ineligibility expires.

801.7 ELIGIBILITY DETERMINATION PERIOD

Local social services agencies must determine eligibility for diversionary assistance within five working days of the receipt of the final verification that substantiates eligibility, or within **30 days following** the date of receipt of the signed application, whichever occurs first.

801.8 VENDOR PAYMENTS

Diversionary assistance payments must be made in the form of a vendor payment. If the worker cannot issue a vendor payment due to systems limitations, then a payment may be made to the recipient.